

**DURHAM, NORTH CAROLINA
MONDAY, NOVEMBER 4, 2013
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor William V. Bell, Mayor Pro Tempore Cora Cole-McFadden and Council Members Eugene Brown, Diane Catotti, Don Moffitt and Steve Schewel. Absent: Council Member Howard Clement, III

Also present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Bell called the meeting to order with a moment of silent meditation followed by the pledge of allegiance led by Council Member Brown.

Mayor Bell read a proclamation declaring November 2013 as Pulmonary Hypertension Awareness Month presented to Matt and Jayna Wall—parents of a child with Pulmonary Hypertension. Mr. Wall thanked everyone for their support.

Council Member Catotti encouraged everyone to vote on Tuesday, November 5th. Regarding Consent Agenda Item #9 [Ordinance Amendment to Permit Bow Hunting of Deer], Council Member Catotti made comments regarding the state law, registered her personal dissatisfaction with this item, and stated that she would be voting yes on Agenda Item #9.

Council Member Moffitt commented on his visit to Oakwood Park on Saturday, November 3, 2013 thanking everyone for their participation in building this playground.

Mayor Pro Tempore Cole-McFadden commented on an event she attended at North Carolina Central University where an announcement was made that Prince Hall Shriners Foundation would jointly co-host and sponsor one NCCU home football game for the next two seasons known as the Prince Hall Shriners Diabetes Football Classic to raise awareness of diabetes.

Mayor Bell welcomed the Kenya delegation visiting Durham to study how the City deals with innovation, technology and university relationships.

Mayor Bell asked for priority items by the City Manager, City Attorney and City Clerk. There were no priority items.

Mayor Bell explained that the Consent Agenda is approved with a single motion and items pulled from that agenda by any citizen or council member will be discussed at the end of the agenda. No items were pulled from the Consent Agenda.

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Regarding Consent Agenda Item #10 [Amendment to Public-Private Redevelopment Agreement – CPGPI Regency Erwin Development LLC], Council Member Schewel thanked staff for including two of the three recommendations from Bicycle and Pedestrian Advisory Commission [BPAC]. For the recommendation that was not included--bike racks on Ninth Street--he spoke in support of installing more bicycle racks [5 or 6]. He stated if details can be worked out regarding ADA and NCDOT requirements, he would like to see them installed when the streetscape is done.

[CONSENT AGENDA]

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to approve the Consent Agenda was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to approve City Council minutes for the September 3, 2013 City Council Meeting, September 5, 2013 City Council Work Session, September 16, 2013 City Council Meeting, September 19, 2013 City Council Work Session and October 7, 2013 City Council Meeting was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

SUBJECT: DURHAM CITY-COUNTY APPEARANCE COMMISSION - APPOINTMENT

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to appoint Jane Brasier to the Durham City-County Appearance Commission with the term to expire on April 1, 2015 was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

SUBJECT: DURHAM OPEN SPACE AND TRAILS COMMISSION - APPOINTMENT

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to appoint Abigail Van de Bogert to the Durham Open Space and Trails Commission representing Ward 2 with the term to expire on June 30, 2016 was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

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SUBJECT: HUMAN RELATIONS COMMISSION - APPOINTMENTS

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to appoint Misty D. Odell representing a Non-Minority Female (term expires June 30, 2014) and Ian Kipp representing a Non-Minority Male (term expires June 30, 2016) on the Human Relations Commission was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

SUBJECT: STREET ACCEPTANCE - DUNWOODY

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to accept Clover Hill Place for maintenance by the City of Durham was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

Dunwoody

- 1) Clover Hill Place – from the centerline of South Riverdale Drive east then north through the cul-de-sac (846’.)

SUBJECT: ADOPT PRELIMINARY ASSESSMENT ROLLS AND SET PUBLIC HEARINGS FOR CONFIRMATION OF ASSESSMENT ROLLS FOR WATER MAIN AND SEWER MAIN ON WEDGEWOOD LANE

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to adopt a preliminary resolution adopting the preliminary assessment roll and setting a public hearing for November 18, 2013, for confirmation of each of the following assessment rolls was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

Water Main on Wedgewood Lane from the West Property Line of PIN #0728-02-89-6224 to Carpenter-Fletcher Road; and

Sewer Main on Wedgewood Lane from the West Property Line of PIN #0728-02-89-6224 to Carpenter-Fletcher Road.

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**SUBJECT: PERMIT APPLICATION REVIEW PROCESS PERFORMANCE AUDIT
(SEPTEMBER 2013)**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to receive and accept the Permit Application Review Process Performance Audit dated September 2013 as presented and approved at the September 23, 2013 Audit Services Oversight Committee meeting was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

**SUBJECT: REQUEST TO CARRYOVER FUNDS FROM FY2012-13 TO FY2013-14,
AMEND THE FY2013-14 BUDGET AND OTHER BUDGET, GRANT AND
CAPITAL PROJECT ORDINANCES**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to adopt an Ordinance Amending the City of Durham Budget Ordinance as amended, Fiscal Year 2013-14, the same being Ordinance #14486 to appropriate fund balance for the carryover request, recognize encumbrances brought forward, make a transfer from the DPAC Fund to a DPAC capital project and make other needed ordinance adjustments was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

Ordinance #s 14517, 14519, 14520, 14521, 14522, 14523, 14524, 14525, 14526, 14527, 14528, 14529, 14530, 14531, 14532 and 14533 - Resolution # 9877

SUBJECT: ORDINANCE AMENDMENT TO PERMIT BOW HUNTING OF DEER

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to adopt an Ordinance Amending the Durham City Code to permit bow hunting of deer within City limits was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

Ordinance #14516

**SUBJECT: AMENDMENT TO PUBLIC-PRIVATE REDEVELOPMENT
AGREEMENT BETWEEN THE CITY OF DURHAM AND CPGPI
REGENCY ERWIN DEVELOPMENT LLC**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to adopt an Ordinance Amending the General Capital Improvement Project Ordinance, Fiscal Year

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2013-2014, as amended, the same being Ordinance # 14464 for the purpose of adding funding in the amount of \$1,039,687.00 for the Ninth Street Infrastructure Redevelopment project;

To authorize the City Manager to execute an Amendment to the Agreement for the Redevelopment and Renovation of the Durham Ninth Street Commercial District with CPGPI Regency Erwin Development, LLC to perform engineering, preconstruction services and streetscape improvements on Ninth Street in an amount not to exceed \$909,687.32;

To authorize the City Manager to accept a Guaranteed Maximum Price (GMP) for the Streetscape Construction work based upon the final scope of work and design described in the agreement, as amended, so long as the construction costs does not exceed Streetscape Improvements Budget of \$869,687.32;

To establish a contingency fund for the Streetscape Improvement Budget in the amount of \$130,000.00, and authorize the City Manager or his designee to negotiate and execute change orders to the agreement so long as the streetscape total construction budget does not exceed \$909,687.32 and the total agreement amount does not exceed \$1,039,687.32; and

To authorize the City Manager to negotiate, execute and accept a tree maintenance and conservation easement for a strip of land (approximately 5 feet wide) running the length of the west side of the Ninth Street streetscape project between the sidewalk and private property owner(s) was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

Ordinance #14518

**SUBJECT: SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES
ADMINISTRATION GRANT PROJECT ORDINANCE AND CONTRACT
WITH ALLIANCE BEHAVIORAL HEALTH CARE**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to authorize the City Manager to accept the SAMHSA grant as a sub-recipient through Alliance Behavioral Healthcare by adopting the amended FY13-14 Grant Project Ordinance in the amount of \$85,000.00, superseding Grant Project Ordinance #14442; and

To authorize the City Manager to execute a contract amendment and extension with Alliance Behavioral Healthcare increasing the contract amount by \$10,000.00 for a total contract amount of \$70,000.00 to further implement the pilot employment and training program for youth enrolled in the SAMHSA funded program was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

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SUBJECT: BID REPORT - SEPTEMBER 2013

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of September 2013 was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

Date: October 8, 2013

To: Thomas J. Bonfield, City Manager

Through: Wanda S. Page, Deputy City Manager

**From: David Boyd, Finance Director
Lynette McRae, Purchasing Supervisor**

Subject: Bid Report – September 2013

Recommendation

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of September 2013.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. Bid Dual Tandem Trailers

Purpose of Bid: To provide Water Management/Distribution Collections with two trailers.

Comments: 2 @ \$15,099.00/each

Opened: August 19, 2013

Bidders:	Southag Distributing Wendell, NC	* \$ 30,198.00
	Rigsbee Auto Parts, Inc. Knightdale, NC	\$ 38,076.42

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	14	# Black Males	1	7%
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Total # Females	1	7%	# White Males	12	86%
Total # Males	13	93%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	7%
			# Other Females	0	0%

2. Bid: Safety Handrail Parts

Purpose of Bid: To provide Water Management/Lake Michie with safety handrail parts.

Comments:

Opened: August 16, 2013

Bidders:	Grainger, Inc.	* \$10,262.43
	Raleigh, NC	
	Hagemeyer, Inc.	\$10,843.96
	Alpharetta, GA	

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	15,437		# Black Males	1,061	7%
Total # Females	5,393	35%	# White Males	7,198	47%
Total # Males	10,044	65%	# Other Males	1,785	11%
			# Black Females	624	4%
			# White Females	3,904	25%
			# Other Females	865	6%

3. Bid: Taser International Stun Gun Training Equipment and Ammunition

Purpose of Bid: To provide the Police Department with Taser stun gun training equipment for Taser re-certification classes.

Comments: Lawmen's Safety Supply is the sole authorized regional Police distributor for the Taser International brand of stun guns, accessories and ammunition.

Opened: September 9, 2013

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Bidders: Lawmen's Safety Supply, Inc. * \$15,489.82
Charlotte, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	26		# Black Males	1	4%
Total # Females	13	50%	# White Males	12	46%
Total # Males	13	50%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	13	50%
			# Other Females	0	0%

4. Bid: Indoor and Outdoor Furniture

Purpose of Bid: To furnish the Ground Floor in City Hall with indoor and outdoor furniture.

Comments: The ground floor in City Hall is being renovated to a vending/ice machine area. This furniture will be placed outside the planning conference room A & B areas, including the atrium to provide tables and chairs to create an employee break area. This furniture will match the quality and theme of the furniture that was purchased during the previous City Hall renovation.

Opened: July 12, 2013

Bidders: Price Modern Carolina * \$18,035.48
Morrisville, NC

*Awarded based on: Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	34		# Black Males	1	3%
Total # Females	21	62%	# White Males	12	35%
Total # Males	13	38 %	# Other Males	0	0%
			# Black Females	1	3%
			# White Females	20	59%
			# Other Females	0	0%

5. Bid: Panasonic Projector System

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Purpose of Bid: To furnish the Solid Waste Department with a projector system for the Auditorium.

Comments: Custom Light and Sound is deemed non-responsive due to not bidding on all parts and repair cost upgrades. The system being installed will allow upgrades to include a closed circuit tv loop, recording capability and remote access for via live stream.

Opened: August 21, 2013

Bidders:	Custom Light and Sound	(non-responsive)	\$16,532.53
	Durham, NC		
	All Pro Sound	*	\$16,691.23
	Pensacola, FL		

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	89		# Black Males	5	8%
Total # Females	8	10%	# White Males	67	70%
Total # Males	81	90%	# Other Males	9	12%
			# Black Females	0	0%
			# White Females	8	10%
			# Other Females	0	0%

6. Bid: Skylights and Drywall Repair

Purpose of Bid: To repair the skylights and damaged drywall at the Durham Convention Center.

Comments:

Opened: September 6, 2013

Bidders:	Pro-Tech Construction	*	\$12,335.00
	Raleigh, NC		
	Carolina Restoration & Waterproofing		\$13,161.00
	Creedmoor, NC		
	Exterior Diagnostic Services		\$18,300.00
	Apex, NC		

*Awarded based on: X Low Bid Other (See Comments)

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WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	24		# Black Males	5	21%
Total # Females	2	8%	# White Males	6	25%
Total # Males	22	92%	# Other Males	11	46%
			# Black Females	0	0%
			# White Females	2	8%
			# Other Females	0	0%

7. **Bid:** **Heat and A/C Unit (10 ton)**

Purpose of Bid: To replace A/C unit at Water Management/Mist Lake Facility.

Comments:

Opened: September 9, 2013

Bidders:	Progressive Plumbing	* \$11,129.00
	Raleigh, NC	
	Climate Control Experts	\$11,250.00
	Bahama, NC	

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	72		# Black Males	7	10%
Total # Females	10	14%	# White Males	54	75%
Total # Males	62	86%	# Other Males	1	1%
			# Black Females	1	1%
			# White Females	9	13%
			# Other Females	0	0%

8. **Bid:** **Preformed Road/Street Signs**

Purpose of Bid: To provide the Transportation Department/Sign Shop with high intensity preformed street signs (stop, yield, etc.) and blanks.

Comments:

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Opened: September 18, 2013

Bidders:	Vulcan Signs, Inc.	* \$36,598.85
	Foley, AL	
	Newman Traffic Signs	\$36,874.50
	Jamestown, ND	
	Korman Signs, Inc.	\$42,329.25
	Richmond, VA	

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	177		# Black Males	41	23%
Total # Females	26	15%	# White Males	103	58%
Total # Males	151	85%	# Other Males	7	4%
			# Black Females	5	3%
			# White Females	20	11%
			# Other Females	1	1%

9. Bid: Water Meter Registers

Purpose of Bid: To provide the Water Management/Distribution Collections System with replacement 1" water meter Ecoder radio frequency registers, as part of the residential water meter replacement program.

Comments: 5,000 @ \$11.54/each

Opened: September 12, 2013

Bidders:	HD Supply Waterworks, Inc.	* \$57,700.00
	Morrisville, NC	
	Fortiline	\$57,900.00
	Raleigh, NC	
	Miller Supply	\$60,400.00
	Laurinburg, NC	

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	15		# Black Males	3	20%
Total # Females	1	7%	# White Males	11	73%

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Total # Males	14	93%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	7%
			# Other Females	0	0%

The Small Disadvantaged Business Enterprise data base was used in the solicitation of bids for these items.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

**SUBJECT: CO-OP CONTRACT PURCHASE - TWO (2) MOTOR GRADERS -
GREGORY POOLE EQUIPMENT COMPANY**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to authorize the City Manager to enter into a contract with Gregory Poole Equipment Company in the amount of \$467,538.00 for providing two (2) Motor Graders was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

**SUBJECT: WATER EXTENSION AGREEMENT WITH DONALD AIKEN TO
SERVE 1726 HAMLIN ROAD**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to authorize the City Manager to enter into a utility extension agreement with Donald Aiken to serve 1726 Hamlin Road was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

**SUBJECT: CONTRACT SD-2013-01, STORMWATER INFRASTRUCTURE
REPAIRS AND IMPROVEMENTS - WHITE OAK CONSTRUCTION
CORPORATION**

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to authorize the City Manager to execute a contract for SD-2013-01 Stormwater Infrastructure Repairs and Improvements, with White Oak Construction Corporation in the amount of \$537,358.00;

To establish a contingency fund in the amount of \$107,471.60 (20%); and

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To authorize the City Manager to negotiate change orders provided that the cost of all change orders does not exceed \$107,471.60 and the total project cost does not exceed \$644,829.60 was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

SUBJECT: AGREEMENT BETWEEN THE CITY OF DURHAM AND NORTH CAROLINA STATE UNIVERSITY (NCSU) FOR SUPPORT OF THE TRIANGLE REGIONAL MODEL (TRM) DEVELOPMENT, ENHANCEMENT AND MAINTENANCE

MOTION by Mayor Pro Tempore Cole-McFadden seconded by Council Member Brown to authorize the City Manager to execute an agreement with North Carolina State University to provide support for the Triangle Regional Travel Demand Model in an amount not to exceed \$126,589.00 was approved at 7:13 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

The City Council disposed of the following agenda items at the October 24, 2013 Work Session:

17. Ground Lease Agreement between CPGPI Regency Erwin and the City of Durham
(This item was referred back to the Administration – Dept. of Transportation)

To authorize the City Manager to execute a Ground Lease Agreement with CPGPI Regency Erwin, LLC for a surface parking lot on Ninth Street for a term of 10 years at a monthly base rent rate of \$6,875.00 for years 1 through 5 and \$7,291.33 per month for years 6 through 10.

18. Durham Housing Authority Update
(An update was received at the 10-24-13 Work Session)

To receive an update from Dallas Parks, CEO of Durham Housing Authority on issues related to Durham Housing Authority.

19. Comprehensive Parking Study Reports for Downtown and Ninth Street Areas
(A presentation was received at the 10-24-13 Work Session)

To receive a presentation on the Comprehensive Parking Study Reports for the Downtown and Ninth Street areas.

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21. James Michael Lynch

(Citizen did not appear at the 10-24-13 Work Session)

To receive comments from James Michael Lynch regarding the Chief of Police.

22. Emorywood Community Association

(Comments were received at the 10-24-13 Work Session)

To receive comments from Thelma White regarding the re-paving of Fayetteville Road from the Cook Road intersection to the intersection of Utah Avenue.

23. John Tarantino

(Comments were received at the 10-24-13 Work Session)

To receive comments from John Tarantino regarding the Police Department, Neighborhood Improvement Services, Durham Area Transit Authority and Equal Opportunity and Equity Assurance.

[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]

SUBJECT: MINI ASSESSMENT ROLLS FOR WATER MAIN IN THE VALLEY SPRINGS ROAD AREA

Public Works Director Marvin Williams briefed Council on the staff report. He reported that mini assessment rolls for water main in the Valley Springs Road area were continued from a previous public hearing and asked Council to approve the staff recommendation.

Mayor Bell opened the public hearing. There being no one to speak in support for or against this item, the Mayor closed the public hearing.

MOTION Mayor Pro Tempore Cole-McFadden seconded by Council Member Catotti to find that the property of Johnna T. Forrester, identified as 3344 Rose of Sharon Road, PIN 0813-01-28-6910 has not benefited from the water main improvement at this time and to relieve the assessment in the amount of \$5,749.10 with the provision that the applicable water main frontage charge will be due and payable at the prevailing rate should the property connect to City water (in accordance with City policy);

To find that the property of R & K Real Estate Group, identified as 4000 Forrestdale Drive on the southeast corner of Valley Springs Road, PIN 0813-01-29-7361 has not benefited from the water main improvement at this time and to relieve the assessments in the amounts of \$2,502.50 for the Valley Springs Road side and \$5,425.00 for the Forrestdale Drive side, with the provision that the applicable water main frontage charge will be due and payable at the prevailing rate should the property connect to City water (in accordance with City policy); and

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To find that the property of Belle S. Browning, identified as 4723 Rose Road, PIN 0813-01-19-7905 has not benefited from the water main improvement at this time and to relieve the assessment in the amount of \$1,942.50 with the provision that the applicable water main frontage charge will be due and payable at the prevailing rate should the property connect to City water (in accordance with City policy) was approved at 7:15 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Brown, Catotti, Moffitt and Schewel. Noes: None. Absent: Council Member Clement.

There being no further business to come before the City Council, the meeting was adjourned at 7:15 p.m.

Linda E. Bratcher, CMC
Deputy City Clerk

D. Ann Gray, MMC, NCCMC
City Clerk